



CITY OF COLUMBIA
CITY COUNCIL MEETING / ZONING PUBLIC HEARING MINUTES
TUESDAY, JULY 15, 2014 - 6:00 P.M.
CITY HALL - 1737 MAIN STREET
COUNCIL CHAMBERS - 3RD FLOOR

The Columbia City Council conducted a Meeting on Tuesday, July 15, 2014 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:14 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. The Honorable Leona K. Plough and The Honorable Brian DeQuincey Newman were absent. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

PLEDGE OF ALLEGIANCE

Master Donovan Toomer of Boy Scout Troop 900 led the audience in the Pledge of Allegiance.

INVOCATION

Fire Chief Aubrey Jenkins offered the Invocation.

ADOPTION OF THE AGENDA

Upon a single motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to adopt the agenda as presented and to approve the meeting minutes of January 21, 2014.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

1. Meeting Minutes of [January 21, 2014 Public Hearing](#) – *Approved as presented.*

PRESENTATIONS

2. [Introduction of the July 2014 Employee of the Month \(Mr. Larry Sanders, Telecommunicator\)](#) – Ms. Kimberly Gathers, Director of Columbia-Richland 911 Communications

Ms. Kimberly Gathers, Director of Columbia-Richland 911 Communications introduced Mr. Larry Sanders, Telecommunicator for the Columbia-Richland 911 Communications Department as the July 2014 Employee of the Month. She said that Mr. Sanders was employed by the City of Columbia twice for a total of twenty-seven years. She described Mr. Sanders as an energetic employee with excellent attendance and exemplary team spirit.

Mayor Benjamin and City Manager Teresa Wilson presented Mr. Larry Sanders with a plaque and a token of appreciation for being selected as the City of Columbia July 2014 Employee of the Month.

3. [Recognition of NxLevel Micro-Entrepreneur Graduates](#) – Mr. Angelo McBride, Administrator for the Office of Business Opportunities

Mr. Angelo McBride, Administrator for the Office of Business Opportunities presented the third graduating class of the NxLevel Micro-Entrepreneur Programs. He said that the program has touched sixty (60) businesses over three (3) years. He announced that Professor Michele Dugar developed the Micro Business Academy and they will work with these businesses for fifty-two (52) weeks after graduation. He explained that the program will also provide technical assistance.

Professor Michelle Dugar of Benedict College announced that the Micro Business Academy is for businesses that begin with less than \$35,000; they have one (1) to five (5) employees; and they have unique capacity and training needs. She said microbusinesses are an opportunity to sustain and grow the economy; if one microbusiness employed one individual, we could eliminate unemployment. She said the MBA Program will sustain an environment in which their desire to be successful is cultivated and supported with technical training.

Ms. Twila Jones, Owner of West of Vintage said this has been a wonderful experience. She said the program helps with discovering the name of your business; your business plan, business sense and financial matters; when you leave this class you are either ready to establish your business or you are ready to take a step back.

Mr. Marques Wright, Owner of Circuit Service Electrical said his company is licensed, bonded and insured and they specialize in commercial, residential and construction renovation repairs. He said starting a business can be the most courageous or scariest move in life. He said his clientele has doubled since he began this twelve week course and they will be offering deals on the installation of alternative energy.

4. South Carolina Philharmonic Citizenship Award Presentation – Ms. Rhonda Hunsinger, Executive Director of the SC Philharmonic

Ms. Rhonda Hunsinger, Executive Director of the SC Philharmonic presented the South Carolina Philharmonic Citizenship Award to Mayor Benjamin and the members of City Council for exemplifying the highest ideals of sustained support and service.

RESOLUTION

- 4a. [Resolution No.: R-2014-066](#) – Approving the honorary naming of the 2200 block of Two Notch Road between Schoolhouse Road and Chestnut Street as “Manigault-Hurley Way” - *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2014-066 – Approving the honorary naming of the 2200 block of Two Notch Road between Schoolhouse Road and Chestnut Street as “Manigault-Hurley Way”.

The Honorable Judge Michelle Hurley appeared on behalf of her parents, Mr. Anthony Manigault Hurley and Mrs. Alice Wyche Hurley to thank the members of Council for this resolution. She said this means the world to her father; the funeral business meant the world to him; and to know that the City of Columbia appreciates him and the business makes us very happy.

Mayor Benjamin recognized Mr. J.T. McLawhorn, President of the Columbia Urban League, Ms. Adell Adams, Member of the Richland County Election Board and all of our wonderful leaders that came out in support of the Hurley Family.

STAFF UPDATE

5. [Update on the Walk Bike Columbia! Master Plan](#) – Ms. Lucinda Statler, Urban Design Planner

Ms. Lucinda Statler, Urban Design Planner for the Planning and Development Services Department reported that a press conference and the first project advisory committee meeting was held on May 20, 2014 and since then, eight (8) stakeholder focus group meetings were held. She asked everyone to visit www.walkbikecolumbia.org to complete a survey and utilize the mapping tool to provide feedback. She reported that Columbia’s current bicycling levels are below the national average at .42%, but our walking rates are among the highest in the country at almost 13%. She reported that South Carolina is 47th in the country for bicycle friendliness and ranked 4th for the most dangerous state for pedestrians. She said with our designation we have taken the proper steps to move in a better direction. She said providing choices for short trips increases the quality of life for the whole community regardless of income or ability. She announced the four (4) public workshops scheduled for July 29-31, 2014 in each Council District.

OTHER MATTERS

6. [Neighborhood Street Lighting Request](#) - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve the following Neighborhood Street Lighting Request:

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Project Request Total	Total Year to Date
Colonial Heights – Adams Street	6	3	\$713.52	\$356.76	\$18,432.40

7. Council is asked to approve the [Destruction of One Thousand Three Hundred Seventy Nine \(1,379\) Narcotics to include Paraphernalia](#), as requested by the Police Department's Evidence and Property Unit. - *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to approve the Destruction of One Thousand Three Hundred Seventy Nine (1,379) Narcotics to include Paraphernalia, as requested by the Police Department's Evidence and Property Unit.

8. Council is asked to approve the [Installation of Two \(2\) Speed Humps](#) on Elmwood Avenue. – *Approved*

9. Council is asked to approve the [Installation of Eight \(8\) Speed Humps and One \(1\) Multi-way Stop](#) in the Cottontown Neighborhood. – *Approved*

[Fire Chief's Memo on Speed Humps](#)

Fire Chief Aubrey Jenkins said he did express concerns about the impact speed humps will have on Confederate Avenue, but after further review of the design of the speed humps being installed, his concerns have been alleviated.

Ms. Teresa Wilson, City Manager said we are good unless there is any indication of the need to find an alternate route.

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve **(Item 8)** the installation of two (2) Speed Humps within the 2300 and 2400 blocks of Elmwood Avenue and **(Item 9)** the installation of eight (8) Speed Humps within the 1200 & 1400 blocks of Confederate Avenue; 2200 & 2400 blocks of Sumter Street; 1400 block of Victoria Street; 1400 block of Jefferson Street; 2100 & 2600 blocks of Marion Street; and the 2200 block of Wallace Street in the Cottontown Neighborhood along with the installation of one (1) Multi-Way stop at the intersection of Marion Street and Victoria Street in the Cottontown Neighborhood.

Councilor Devine requested an update on the installation of bump outs at the intersection with landscaping as part of the multi-phased approach for this area.

CONSENT AGENDA

Councilor Devine asked if there is any value to the expenditure of funds for additional meters associated with **Item 19** in light of the earlier discussion related to automated meter reading. She expressed concerns about spending \$500,000 now for two (2) years' worth of equipment.

Mr. Joey Jaco, Director of Utilities and Engineering explained that in order to install the new automatic meter reading meters out, we would have to update all of the meter reading route equipment. He said the intent is to install new meters on a whole route, but these old meters are being purchased as replacements for scattered addresses with broken meters.

Councilor Davis asked where the first automatic meter readers will be installed.

Mr. Joey Jaco, Director of the Utilities and Engineering Department agreed to provide an update at the next meeting.

Councilor Davis asked what the conceptual design is for Busby Street (**Item 17**). He recalled that a facility was committed to the community along with a trail. He asked if those commitments are still on the table.

Mr. S. Allison Baker, Senior Assistant City Manager said we do not have a design; first we will assess the needs of the Police Department and determine what type of facility is needed in that community. He confirmed that those commitments are still on the table.

Councilor Baddourah sought clarification on **Item 22**. He inquired about the study that was done when the stadium was sold.

Mr. Joey Jaco, Director of Utilities and Engineering said we are looking at the sanitary sewer system of the area that flows into Rocky Branch.

Upon a single motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted unanimously to approve the **Consent Agenda Items 10, 11, 13 through 18 and 20 through 29. Item 12 and Item 19** were withdrawn from the agenda.

CONSIDERATION OF BIDS and AGREEMENTS

10. Council is asked to approve a Change Order for [Additional Healthcare Plan Design Changes and Actuarial Analysis](#), as requested by the Budget & Program Management Office. Award to Towers Watson in the amount of \$58,701.65. This firm is located in Atlanta, GA. *Funding Source: Health Insurance Benefits / Consultant Fees 6048933-636700 – The revised contract total is \$110,000.00. - Approved*

11. Council is asked to approve a [Professional Services Contract for Federal Lobbying Services](#), as requested by the Office of Governmental Affairs. Award to CapitalEdge Strategies, LLC in the amount of \$ \$71,725.50 plus reimbursable expenses up to \$5,000.00 for a total annual amount not to exceed \$76,725.50. This firm is located in Washington, DC. *Funding Source: 1011103-638300 – **Note:** The FY14/15 contract reflects a 10% increase to more adequately address the increased quantity and high quality of services rendered. - Approved*
12. Council is asked to approve a Two-Year [Professional Services Agreement for Financial Advisory Services](#), as requested by the Finance Department. Award to Merchant Capital, LLC in an amount not to exceed \$450,000.00 for two (2) one years. This vendor is located in Atlanta, Ga. *Funding Source: Finance Administration Professional; 1011402-636600 – This item was withdrawn from the agenda.*
13. Council is asked to approve an [Amendment to and Renewal of a Services Agreement for the Emergency and Mass Notification System](#), as requested by Columbia-Richland 911 Communications. Award to Everbridge, Inc. in the amount of \$75,500.00. This vendor is located in Glendale, CA. *Funding Source: City Account 1012701-638200 \$37,750 & County Account 2082702-638200 \$37,750 - Approved*
14. Council is asked to approve [Enhancements to the Fire Department's Mass Evacuation Bus](#) to include: Flip-down Rehabilitation Seats, Stretchers, Portable Suction Units, Manual Awning, Custom Paint and Graphics, as requested by the Fire Department. Award to Matthews Specialty Vehicles, as a Sole Source Procurement in the amount of \$70,449.00. This vendor is located in Greensboro, NC. *Funding Source: Homeland Security Grant Control-Autos, Truck, Heavy Equipment Capital; 2549999-658500 – **Note:** The original budgeted amount for this purchase is \$70,449.00. – Approved*
15. Council is asked to approve the [Purchase of Ten \(10\) Chevrolet Caprices](#), as requested by the Police Department. Award to Love Chevrolet Company, using the SC State Contract in the amount of \$286,656.60. This vendor is located in Columbia, SC. *Funding Source: Police Operations-Auto, Trucks, Heavy Equipment Capital; 1012403-658500 – **Note:** The original budgeted amount for this purchase is \$300,000.00. - Approved*
16. Council is asked to approve an [Agreement for On-Call Structural Engineering Services](#), as requested by the Utilities and Engineering Department. Award to Chao and Associates, Inc., in the amount of \$75,000.00. This vendor is located in Columbia, SC. *Funding Source: Water and Sewer Fund; 5511706-638505 – **Note:** These services are for specific tasks the department may consider useful for general structural engineering services for various projects that may arise in the coming year. The original budgeted amount for this project is \$75,000.00. - Approved*

17. Council is asked to approve an [Engineering and Architectural Services Agreement for the Busby Street Resource and Training Center](#), as requested by the Utilities and Engineering Department. Award to Architect's Design Group in the amount of \$241,546.00. This vendor is located in Winter Park, FL. *Funding Source: 4039999-CP106002 – **Note:** The scope of this project includes an assessment, master planning, and schematic design services. The following sub-consultants will be utilized for this project at 13% of the contract value. The original budgeted amount for this project is \$300,000.00. - Approved*

Sub-consultants	Locations	Services	Contract Value %
P.J. Noble and Associates (WBE and MBE Firm)	Columbia, SC	Community Liaison	5%
Dennis Corporation	Columbia, SC	Surveying And Civil Engineering	3%
McCreary/Snow Architects (WBE Firm)	Columbia, SC	Local Architectural	1%
MECA Engineering	Columbia, SC	Mechanical Plumbing And Fire Protection Engineering	1%
GWA, Inc.	Columbia, SC	Electrical Engineering	1%
Chao and Associates (MBE Firm)	Columbia, SC	Structural Engineering	1%
TLC Engineering for Architecture	Orlando, FL	Technology Engineering	1%
Gimball-Cotterill & Associates	Columbia, SC	Landscape Architecture	<1%

18. Council is asked to approve an [Agreement for Master Planning Services for Finlay Park](#), as requested by the Utilities and Engineering Department. Award to Stantec Consulting Services, Inc. in the amount of \$304,815.00. This firm is located in North Charleston, SC. *Funding Source: Hospitality Tax Fund - **Note:** The scope of this project includes conceptual design and planning, public outreach, schematic design and cost estimating services. The following sub-consultants will be utilized for this project at 74.7% of the contract value. The original budgeted amount for this project is \$310,000.00. - Approved*

Sub-consultants	Locations	Services	Contract Value %
CIVITAS	Denver, CO	Urban Park Planning Design and Landscape Architecture	33%
Chao & Associates (MBE Firm)	Columbia, SC	Structural Engineering	3%
Cox & Dinkins (SBE Firm)	Columbia, SC	Civil Engineering & Survey	8.4%
Comprehensive Business Consultants (M/SBE Firm)	Columbia, SC	Public Outreach	5.4%
Liollio Architecture (WBE Firm)	Charleston, SC	Architecture	7%
HR&A Advisors	New York, NY	Open Space Strategies & Market Analysis	11.4%
DWG, Inc.	Mt. Pleasant, SC	Mechanical, Electrical & Plumbing	.3%
F&ME Consultants	Columbia, SC	Geotechnical & Environmental	1.9%
Cumming	Columbia, SC	Cost Estimating	4%
Sarah Georgia Harrison	Athens, GA	Cultural Resources	.3%

19. Council is asked to approve the [Purchase of Water Meters for Fiscal Year 2014/2015](#), as requested by the Water Distribution Division. Award to lowest bidder of each lot in the total amount of \$615,589.39. *Funding Source: Utilities Water Distribution & Maintenance/Meter Parts & Supplies – **Note:** The original budgeted amount for this purchase is \$631,800.00. – This item was withdrawn from the agenda.*

Lots	Size	Vendors / Locations	Amounts
1	¾"	HD Supply Waterworks - West Columbia, SC	\$139,008.00
2	2"	HD Supply Waterworks - West Columbia, SC	\$76,536.00
3	4", 6" & 8"	Mainline Supply Company/Fortiline - Columbia, SC	\$354,446.18
		SC Sale Tax	\$45,599.21
		Total	\$615,589.39

20. Council is asked to approve a [Contract for the 2014 Street Rehabilitation Project](#), as requested by the Street Division. Award to Sloan Construction, the lowest responsible and responsive bidder in the amount of \$697,666.95. This vendor is located in Columbia, SC. *Funding Source: Street Resurfacing Capital Project/Paving and Asphalt Supplies; 4079999-623500 and City Streets Pavement Maintenance/Paving and Asphalt Supplies; SR911302-623500 – **Note:** This project is being funded by the SCDOT "C" Program. The original budgeted amount for this project is \$700,000.00. - Approved*
21. Council is asked to approve a [Contract Renewal for Waste Hauling and Container Rental](#), as requested by the Wastewater Treatment Plant. Award to Waste Management, Inc., in an amount not to exceed \$699,840.00 for one (1) year. This vendor is located in Elgin, SC. *Funding Source: Utilities Metro Wastewater Plan-Special Contracts; 5516208-638300 – **Note:** The original budgeted amount is \$699,840.00. - Approved*
22. Council is asked to approve an [Agreement for Engineering Services for a Sewer System Evaluation Study of Rocky Branch I](#), as requested by the Utilities and Engineering Department. Award to Brown & Caldwell, Inc., in an amount not to exceed \$1,293,500.00. This vendor is located in Columbia, SC. *Funding Source: Sanitary Sewer Budget; 5529999-SS7280-636600 – **Note:** SSES Rocky Branch I will allow for technical engineering support for a Sewer System Evaluation Study, will identify problems that may lead to sanitary sewer overflows. This is a Mentor Protégé Program Project and 4-D Engineering (Protégé), a WBE firm located in Lexington, SC will provide sewer assessment, field data, quality assurance/quality control assessment, permitting and construction administration at 60.2% of contract value. The original budgeted amount for this project is \$7,293,500 (\$1,293,500 is for design and \$6,000,000 is for construction). - Approved*

23. Council is asked to approve a [Contract Amendment Two for Consent Decree Compliance and Infrastructure Improvements Program Management Services](#) for Fiscal Year 2014/2015, as requested by Utilities and Engineering. Award to CDM Smith, Inc. in an amount not to exceed \$5,400,000.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Maintenance Fund; 5516212-SS723615-636600 – **Note:** The following sub-consultants will be utilized for this project at 25.7% of the contract value. The original budgeted amount for this project is \$5,400,000.00. - Approved*

Sub-consultants	Locations	Services	Contract Value %
LPA Group (A Division of the Michael Baker Corporation)	Columbia, SC	Construction Management Review and Inspection	2.2%
Civil Engineering Consulting Services, Inc. (WBE firm)	Columbia, SC	Utility Coordination, Subsurface Utility Engineering, Construction and Inspection	3.6%
DESA, Inc. (M/W/SBE Firm)	Columbia, SC	Public Outreach, Construction Inspection and Document Controls Support	2.3%
PAN, Inc.	West Columbia, SC	Real Estate and Easement Acquisition	1.4%
Comprehensive Business Consultants (M/W/SBE Firm)	Columbia, SC	Program Controls Analyst	4.1%
Atlantic South Consulting Services, LLC (MBE Firm)	Charleston, SC	Computerized Maintenance Management System Implementation and Support	3.9%
Grice Consulting Group, LLC (MBE Firm)	Columbia, SC	Document Controls Support	7.3%
F&ME Consultants	Columbia, SC	Geotechnical Investigation, Construction Phase Materials Testing and Construction	.92%

ORDINANCES – SECOND READING

24. [Ordinance No.: 2014-063](#) – Authorizing the City Manager to execute Voluntary Cleanup Contract 13-5789-NRP In the Matter of SCDMH Bull Street Campus, Richland County, between Hughes Development Corporation and the City of Columbia for the property commonly known as the South Carolina Department of Mental Health's "Bull Street Campus" – *First reading approval was given on June 24, 2014. – Approved on second reading.*
25. [Ordinance No.: 2014-072](#) – Granting an encroachment to Tim S. Peterson for construction and maintenance of a wooden boardwalk within the right of way area of the 2000 block of Senate Street adjacent to his property at 2006 Senate Street, Richland County TMS # 11405-10-01 – *First reading approval was given on June 24, 2014. – Approved on second reading.*

EVENT RESOLUTIONS

26. [Resolution No.: R-2014-052](#) – Authorizing consumption of beer and wine beverages only at the Palmetto Tasty Tomato Festival – *This event is scheduled for Saturday, July 19, 2014. - Approved*
27. [Resolution No.: R-2014-057](#) – Authorizing consumption of beer and wine only at the USC Pep Rally at Wild Wing Café in the Vista – *This event is scheduled for Friday, August 1, 2014. - Approved*
28. [Resolution No.: R-2014-059](#) – Authorizing consumption of beer and wine only at Oktoberfest – *This event is scheduled for Saturday, October 25, 2014. - Approved*
29. [Resolution No.: R-2014-060](#) – Authorizing consumption of beer and wine only at Holiday Fest – *This event is scheduled for Saturday, December 6, 2014. - Approved*

RESOLUTION

- 29a. **Amending Resolution 2014-032 – Authorizing consumption of beer and wine at Five Points Association at Five Points Association's 5 After 5 Concert Series

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to amend Resolution 2014-032 – Authorizing consumption of beer and wine at Five Points Association at Five Points Association's 5 After 5 Concert Series to include Sunday, July 27 from 3:00 p.m. to 7:00 p.m. for the Celebration of Life Concert in honor of Robert Newton.

PUBLIC HEARING

30. [Resolution No.: R-2014-061](#) - A Resolution in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (USC DF – West Campus, LLC Project) in One or More Series, Taxable or Tax-Exempt, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, in the Aggregate Principal Amount of Not Exceeding \$92,700,000 – [Maps](#) – *Approved*

- **Council opened the Public Hearing at 7:07 p.m.**

No one appeared in support of or in opposition to the matter.

- **Council closed the hearing at 7:07 p.m.**

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2014-061 - A Resolution in Support of the Issuance by the South Carolina Jobs Economic Development Authority of its Economic Development Revenue Bonds (USC DF – West Campus, LLC Project) in One or More Series, Taxable or Tax-Exempt, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, in the Aggregate Principal Amount of Not Exceeding \$92,700,000.

ZONING PUBLIC HEARING

- **Council opened the Zoning Public Hearing at 7:08 p.m.**

MAP AND TEXT AMENDMENT – FIRST READING

31. (A) Map Amendment

1230 Sumter Street, TMS#11401-03-01 (partial); request recommendation to rezone from C-5, -DD (Central Business District, Design Overlay) to C-5, -DD, -DP (Central Business District, Design Overlay, with a Design Preservation Overlay). – *Approved on first reading.*

Council District: 2

Proposal: Rezone parcel (portion) from C-5, -DD to C-4, -DD, -DP to designate structure as a Group II Landmark

Applicant: Rick Patel, Owner

PC Recommendation: Approve (6-0); 04/07/14

Staff Recommendation: Approve

(B) Text Amendment

Amend §17-691 (c) Buildings and Sites list, to designate **1230 Sumter Street**, TMS# 11401-03.-01 (partial) as a Group II Landmark.

Proposal: Amend Chapter 17-Article V, Division 3-§17-691 (c) to designate structure as a Group II Landmark.

Applicant: Rick Patel, Owner

PC Recommendation: Approve (6-0); 04/07/14

Staff Recommendation: Approve

Ordinance No.: 2014-065 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c), to add 1230 Sumter Street, Richland County TMS #11401-03-01(p) – *Approved on first reading.*

No one appeared in support of or in opposition to this matter.

Upon a single motion made by Mr. Baddourah and seconded by Ms. Devine, Council voted unanimously to give first reading to the **Map Amendment** for **1230 Sumter Street**, TMS#11401-03-01 (partial); request recommendation to rezone from C-5, -DD (Central Business District, Design Overlay) to C-5, -DD, -DP (Central Business District, Design Overlay, with a Design Preservation Overlay) **and** Ordinance No.: 2014-065 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c), to add 1230 Sumter Street, Richland County TMS #11401-03-01(p).

32. (A) **Map Amendment**

1401 Hampton Street, TMS# 11402-03-03; request recommendation to rezone from C-4, -DD (Central Area Commercial District, Design Overlay) to C-4, -DD, -DP (Central Area Commercial District, Design Overlay, with a Design Preservation Overlay). – *Approved on first reading.*

Council District:	2
Proposal:	Rezone parcel from C-4, -DD to C-4, -DD, -DP to designate structure as a Group II Landmark
Applicant:	John Glassell, FLB Apartments, LLC
PC Recommendation:	Approve (4-0), (6 members in attendance, 2 recusals); 06/02/14
Staff Recommendation:	Approve

(B) **Text Amendment**

Amend §17-691 (c) Buildings and Sites list, to designate **1401 Hampton Street**, TMS# 11402-03-03; as a Group II Landmark.

Proposal:	Amend Chapter 17-Article V, Division 3-§17-691 (c) to designate structure as a Group II Landmark.
Applicant:	John Glassell, FLB Apartments, LLC
PC Recommendation:	Approve (4-0), (6 members in attendance, 2 recusals); 06/02/14
Staff Recommendation:	Approve

Ordinance No.: 2014-071 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c), to add 1401 Hampton Street, Richland County TMS #11402-03-03 – *Approved on first reading.*

No one appeared in support of or in opposition to this matter.

Upon a single motion made by Mr. Runyan and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to the **Map Amendment** for **1401 Hampton Street**, TMS# 11402-03-03; request recommendation to rezone from C-4, -DD (Central Area Commercial District, Design Overlay) to C-4, -DD, -DP (Central Area Commercial District, Design Overlay, with a Design Preservation Overlay) **and** Ordinance No.: 2014-071 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c), to add 1401 Hampton Street, Richland County TMS #11402-03-03.

TEXT AMENDMENT – FIRST READING

33. [Amend CHAPTER 17 - Article V](#) – Historic Preservation and Architectural Review, for updates and modifications.

Proposal:	Amend §17 - Article V – Historic Preservation and Architectural Review for updates and modifications
Applicant:	Krista M. Hampton, Director of Planning and Development Services
PC Recommendation:	Approve (6-0), 04/07/14
Staff Recommendation:	Approve

[Ordinance No.: 2014-076](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 1, Generally, Sec. 17-652 Definitions, Sec. 17-653 Design and development review commission and Sec. 17-655 Administration; and Division 2, Preservation Standards for Landmarks and Design Protection Districts, Sec. 17-674 Review process – *Approved on first reading.*

No one appeared in support of or in opposition to this matter.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2014-076 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 1, Generally, Sec. 17-652 Definitions, Sec. 17-653 Design and development review commission and Sec. 17-655 Administration; and Division 2, Preservation Standards for Landmarks and Design Protection Districts, Sec. 17-674 Review process.

- **Council closed the Zoning Public Hearing at 7:11 p.m.**

ORDINANCES – SECOND READING

34. [Ordinance No.: 2014-038](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 15, Parks and Recreation, Sec. 15-1 Prohibited acts in parks to add (14) Exclusive minor child play zones – *First reading was given on May 20, 2014 by a vote of five (5) to two (2). – Approved on second reading by a vote of three (3) to two (2).*

Councilor Runyan made a motion to give second reading approval to this ordinance. He spoke with the City Attorney after receiving feedback from members of the community about making sure that we have proper allowances for gatherings at parks or for relatives of children who are able to attend if a child zone is enacted on a particular park.

Ms. Teresa Knox, Esq., City Attorney suggested that Council add the following to the end of section (a) and any other sections that may be deemed appropriate: *or family members of the minor child or minor children playing within the area*. She said this would allow anyone taking care of a minor to come. She further recommended that section (e) be added as follows: *This section does not apply to special events held within the City parks*.

Councilor Runyan moved for approval of the ordinance as amended.

Councilor Davis seconded the motion.

Councilor Devine said we've never publicly discussed the opinion received from the National Park Service regarding this limitation in parks where we used federal funds. She understands that this ordinance is not for a specific park and that there needs to be another public hearing for specific designations. She said that there are some parks such as Roy Lynch that we purchased with federal funds. She asked for advice on that.

Ms. Teresa Knox, Esq., City Attorney said you can't prevent public access to parks purchased with federal funds; if the play zone covers more than 50% of the park, you would be preventing public access; it depends on where the child zones are.

Councilor Devine said we could conceivably make a child zone in Hyatt Park and it wouldn't be over 50% of the park; it wouldn't be an issue. She asked specifically about Roy Lynch Park, noting that it is such a small park.

Ms. Teresa Knox, Esq., City Attorney said the opinion we received from the federal agency said if you limited the zone to certain hours, you would be okay, but you would be in trouble if you had a child safety zone for 24 hours a day that took up more than 50% of the park. She said we would be in violation of the funding received.

Councilor Devine asked what the recommendation would be for Roy Lynch Park.

Mr. Jeff Caton, Director of the Parks and Recreation Department said the size of the park is relevant to the way the play areas are situated; it's in two (2) locations within the park. He said they would have to determine what constitutes the play zone at 50% to determine whether or not we would be in violation of those land and water conservation fund restrictions. He agreed that a 24/7 restriction would require us to evaluate the 50% and provide you with a recommendation.

Councilor Devine asked what other parks may have been purchased with land and water conservation funds.

Mr. Jeff Caton, Director of the Parks and Recreation Department agreed to obtain that information from the SC Department of Parks Recreation and Tourism.

Councilor Devine said we are trying to solve things without discussing how this will work. She asked if it is currently illegal for a sex offender to be in the park.

Ms. Teresa Knox, Esq., City Attorney said a sex offender can't be within a certain distance of a park or a school.

Councilor Devine asked what the course of action would be if someone believes they see a sex offender in the park.

Police Chief William "Skip" Holbrook said if it can be verified and if they meet the criteria for that violation, the individual would be subject to arrest.

Councilor Devine asked what additional tool this ordinance gives the Police Department with regard to sex offenders.

Police Chief William "Skip" Holbrook said it would be another mechanism to approach and detain someone briefly to take steps to determine if they would fall under that category or look for any other criminal activity; it's no different than a traffic stop for a violation; you make the initial approach and then you look beyond that for other criminal activity.

Councilor Devine asked how this would work logistically.

Police Chief William "Skip" Holbrook said it could be generated by an officer driving by or reported to the police for further investigation.

Councilor Devine said we've had cameras up for three (3) weeks. She asked if the cameras are being monitored; have you received complaints; or have you all seen anything to be concerned about.

Police Chief William “Skip” Holbrook reported that he personally checks Roy Lynch Park, especially with the closing of the shelter and the relationship we’ve established with some of our homeless activity. He said with our increased enforcement efforts downtown, coupled with the installation of the cameras, monitoring and awareness among regional officers, it has been very effective. He said he sees little to no activity there.

Councilor Devine said there’s a belief that this ordinance could potentially be the silver bullet. She asked how officers would enforce this ordinance.

Police Chief William “Skip” Holbrook said he sees no difference in calls or this ordinance affecting their response; however, the ordinance would give us additional capacity to conduct an investigative retention. He said a call reporting suspicious activity and then an officer arriving and finding that person will allow the officer some leeway to look into the matter further.

Councilor Devine recalled seeing three (3) people sitting in the park on Sunday: one sitting on a picnic table reading a book; one (1) sitting on a bench; and the other near the swings. She asked if an officer will automatically stop or will it be based on something else.

Police Chief William “Skip” Holbrook said someone sitting on a park bench reading a book would not cause an officer to stop and investigate; however, that would be at the officer’s discretion with this ordinance.

Councilor Davis said that while using your discretion as a law enforcement officer, there are some things that would cause you to continue to drive by, but there are also certain things that would cause you to stop and answer questions based on concern and written ordinances. He said at one point he was pressed to ask why this wasn’t given this type of attention in the past. He said there are documented sex offenders in close proximity to schools and residences. He said when you drive by during the day and you see folks that are doing things that shouldn’t be happening in the park, he tends to err on the side of the children. He is aware of another smaller park that serves a neighborhood. He said little kids go to the park without a parent knowing and it is better to have a pattern and a reputation in this city that you don’t mess with little kids when they are unsupervised. He doesn’t have a problem with the intent of this ordinance, but he may have issues with the 50% mark off. He said there is a justification for trying to protect children and seeing that people don’t mess up the quality of life in neighborhoods. He heard from people on both sides. He said people who are genuinely concerned about children don’t have a problem with this ordinance.

Councilor Devine insisted that that’s not true and it’s not a fair statement.

Councilor Davis said there’s nothing wrong with putting in an additional tool to protect children. He thinks it would be a tragedy if we let an opportunity like this go by and something happens to children in an area that is designated for them.

Councilor Runyan said this will give police the ability to stop, interact with someone and ascertain if it is a designated child safety zone, if there is some sort of illicit activity going on or if there's someone who shouldn't be in that park. He said there were thirty-one (31) sex offenders at the shelter that aren't there anymore; we need to take this very seriously. In light of the issue Ms. Devine raised about having implications with federal dollars, he asked if we can have a permit regime that allowed anyone who went through the permit process to use the park; does that remedy the issue.

Ms. Teresa Knox, Esq., City Attorney said we would have to establish the process; they can't say that we are preventing the public when we are allowing public access; and we cannot charge a fee for the permit. She said the concern is when the designation encompasses the whole area.

Councilor Davis said we are not saying that the public in general can't use the parks; I don't have a problem with a designated area for kids; it gets them away from some of the stuff that goes on in parks such as improper language, smoking, marijuana usage and other inappropriate behaviors.

Ms. Teresa Knox, Esq., City Attorney advised that if you only designate a certain area, you're okay; it's when the area encompasses the whole park that you have a problem.

Councilor Baddourah said we've gone through a lot of changes with this and his kids go to a small neighborhood park every day. He said they welcome everybody that comes to the park without any discrimination. He said we don't want sex offenders or anyone that could kidnap a child, but to make it a possibility where someone can be profiled is a concern. He said he is all about the kids, the parks and making it possible for everybody to attend the park. He asked the Police Chief if this tool is needed for someone to call and get the police out to determine if it is a sex offender. He said when this was brought up about Five Points, it was said that we would be profiling people walking down the street; it's the same thing with the parks; it's not right. He said he is not about to profile anybody going to a public park; there is a reason why we spend tax money for public parks. He asked if this is going to help; is it worth losing funding over.

Councilor Davis said he has life experience with being profiled and this goes back to why these small parks are in neighborhoods and the fact that law enforcement needs all of the tools necessary to help them make a decision. He said in some cases, it is well known who may be a sex offender or who have other types of track records. He said in some cases, you need to give them the necessary tools to protect children. He is trying to understand why this is being viewed as another bureaucratic layer. He said this issue has become a legitimate concern and the focus isn't only on Roy Lynch Park; it's not an isolated incident.

Councilor Devine stated that she takes offense to someone saying that people who don't generally care about children oppose this. She said as students at Logan Elementary, her children are directly affected by this; we live very close to the neighborhood; all of their friends live in that neighborhood; and we play in that park all the time. She said the ironic part about this is that this ordinance doesn't affect her, she is raising concerns that were brought to her and as representatives of the entire city, we need to represent everyone and bring all of their opinions to bear. She said the cameras didn't go up until she spoke with the Police Chief and others recently; you all have been concerned about this, but no one else has brought forward suggestions until recently. She recalled Mr. Baddourah's attempt to refer this to a committee so that we could discuss it; some parents that live in the neighborhood haven't had an opportunity to discuss their concerns. She said we were supposed to bring the community together to discuss this, but we haven't done that. She said the Police Chief has made it a personal point to drive by the park and until we brought this up earlier this year, the lighting wasn't addressed. She said it is premature to bring this ordinance forth without answering the other questions. She said some parents don't find the things they used to find at the park; they feel like it has gotten better.

Mayor Benjamin clarified that we are talking about every park in this city. He said we balance some very serious concerns. He introduced three (3) new Mayor's Fellows: Jaquan Irby, Jalaina LaGree and Lauren Mims. He explained that oftentimes we have issues that are clear cut then we have very passionate positions on issues of children safety, public safety and civil liberties; trying to reconcile those issues with very civil discourse can sometimes be very difficult, but it is something that we all have to learn.

▪ **Council opened the meeting to public comment at 7:48 p.m.**

Mr. Bob Wynn, President of the Arsenal Hill Neighborhood Association said that as a grandfather of young children, certainly he understands this discussion. He said it would not be profiling for a resident or a parent to report suspicious activity to the police department. He said this gives a tool to the general public and parents to be able to feel more comfortable in recognizing suspicious activity, making a call and being more aware and ready to act.

Mr. Haus Adams, Elmwood Park Neighborhood Association said he lives one block about from Roy Lynch Park and in October he found that thirty five (35) sex offenders lived within a mile of his house and the park. He said that more than 90% of those offenders use the shelter's address and more than 90% were charged with a lewd act on a minor. He reported that Logan Elementary uses the park for recess and neighborhood children go to the park. He reported seeing several children at the park recently without adult supervision, which is not in accordance with park rules. He said one of these days without additional tools, oversight and the passage of this ordinance something tragic is going to happen. He asked Council to act now to try to prevent a problem.

Ms. Ellen Blundy, 2320 Park Street said this is not a new problem; we have been battling this problem for a long time; and the police felt like they couldn't do anything; this gives them a tool. She said the park is full of playground equipment and it's meant for children. She said this is very important to the residents.

Ms. Tracy Young said she came on May 20th with two other parents to speak about this issue and she is speaking tonight on their behalf as well. She said this ordinance will affect the whole city to address what happens at one park. She said these activities occur at night and since the first reading it was suggested that we aren't concerned about the park because we are getting new playground equipment. She said we are concerned about this park; our students will be there every day for recess even after we get our own equipment. She said we were never asked our opinion before this ordinance was proposed and we feel like our children are being used to push this agenda. She said that Logan Elementary is a social-economically diverse community. She said the park is too small to divide and unless you make the entire park a safety zone, nothing will change.

Mr. Jonathan Kirkwood, 2062 Watermark said does it make sense that we would say that certain adults wouldn't be able to be in the park. He said under the proposal two adults playing chess in the park without children would be under scrutiny; I don't think that's what we want. He said there is a sign in the park with seventeen rules, one of which is adult supervision is required. He said another rule is the profanity, loud music and disrespectful behavior are not allowed and he hopes these behaviors aren't allowed in any parks. He said when we have different rules for different parks we are not being one Columbia; let's be consistent and have ordinances that make sense for all of Columbia.

Mayor Benjamin asked that copies of the ordinance be provided to the public. He noted that this ordinance is not specific to Roy Lynch Park; this ordinance does not speak to homeless individuals in the City; this ordinance speaks exclusively to child play zones within a park and in order to have that designated there is an entire process that any park would have to go through that would require public input and approval by a majority of City Council voting at a meeting. He said this is not something that immediately makes Roy Lynch Park off limits to the entire community unless you have a child; it does not apply to any park unless that process has been adhered to; it only applies to child play zones; it would not apply to someone else doing something in the lower area of Finlay Park; this is around the exclusive child play area or the upper north corner.

Dr. Lonnie Randolph, President of the SC Chapter of the NAACP said he has concerns and is dismayed and annoyed at what he has heard here today. He said the system works best when you put the horse before the cart. He suggested that we have dialog among concerned individuals before we move to adopt the proposal; this is going the Columbia way. He quoted W.H. Outen "There's always another story." He hopes we get to the point of what the story is. He is bothered that people would think that we aren't supportive of children. He said 11 days ago we celebrated this country's birthday and we will never be untied as one as long as we operate under different sets of rules. He asked that St. Anna's Park, Martin Luther King Park and Drew Park are also designated, because those parks have never had protection. He said that all fifty-seven parks should be included. He said

there are serious fourteenth and fifteenth amendment concerns. He said the park being discussed today has the smallest number of calls and complaints than any park in the city. He reported that the NAACP's attorney believes that this ordinance is minimally rational.

Coach Oliver Francis 2401 Sumter Street said he is not for or against this ordinance. He said you can't stop a thief. He urged Council to be careful; we have to police ourselves.

Ms. Michelle Logan said she attended a meeting when Daniel Rickenmann brought this issue of child safety zones in 2008; this isn't new; it is a culmination of serious events. She said we spent money to move two houses to create this park, which includes a tot lot. She said there are sex offenders in that park. She recalled that Ms. Devine supported an ordinance pushing the registration of sex offenders at MHA. She said parks are for children and she wants to see this pass.

Mr. Bruce Sanders asked if people really send their children to the parks alone. He said that vulnerable young children don't need to be in the park by themselves. He said that he won't be able to get on the slide at the park anymore and this seems like another effort to discourage access to another park; this happened already at Finlay Park. He asked if visitors will be accosted. He asked Council to vote against this.

Ms. Maime Jackson gave notice of an appeal of the decision of the City Council to the installation of speed humps and a multi way stop in the Cottontown area. She said the area already has two four-way stop signs; a no right turn area; and now you are creating a cul-de-sac for this area and that is not a proper use of our streets. She said there are very few children in this area. She said this request from homeowners is not in the best interest of the city. She gave notice that she will appeal this decision. She further noticed the Council that the City of Columbia has too many police officers. She reported that a young man removed a gun from his carryon bag and put it in his pocket while on the bus. She said two officers secured the pistol and the bus while three additional officers arrived and watched. She further reported that an officer zoomed down the street and almost overturned the vehicle and she asked him why he was driving so fast and he said he saw something illegal happening. She will also appeal City Council's time limit that is placed on citizens. She suggested that City Council should be put on time limits also.

Mr. Terry Scott said he recently decided to get on a slide. He reported seeing a drug transaction in his park on the way here. He said we don't have speed humps. He said growing up we had eyes on us. He said if you see something, say something; it is unnecessary to create a new ordinance. He said the sex offenders are listed and we will always care about the children.

▪ **Council closed the public comment segment at 8:27 p.m.**

Mayor Benjamin said the question is will this ordinance be useful in any of our parks. He said it is an additional tool and from the beginning it was clear that we would not have full consensus on this issue. He said there are amendments that would improve the ordinance:

- Add to (14) (a) *“or family members of the minor child or minor children playing within the area.”*
- Adding section e that says *“This section does not apply to special authorized events held within the City parks.”*

Councilor Devine agreed with Ms. Logan in that this is not new and we did have a lengthily discussion about the unintended consequences and address the root of the problems. She has every confidence in our new chief that the concerns are being addressed. She said this may be appropriate for other parks, but we haven't addressed those concerns either. She said she used to meet a group of ladies in Roy Lynch Park to go running. She said there are law abiding taxpaying citizens that will be prohibited from any park. She said we haven't engaged the people that are affected. She reiterated that this ordinance only lays the groundwork. She encouraged people to talk to the community and neighbors about the concerns as parks are being recommended for this designation. She noted that because someone looks suspicious they could be targeted. She expressed concerns about this ordinance not solving the concerns that people have with Roy Lynch Park. She said we haven't enforced the laws that need to be enforced.

Councilor Baddourah said since he came to this country he has been called the brown man everywhere he went, but the public park is one of the places where nobody can discriminate against him; no matter what he does or what he looks like. He said this is hard for him to approve; as a father, we need all the tools we can have for the kids, but you are making this a city policy for everybody in the City. He wants to protect his kids. He made a substitute motion to refer this to a committee to iron out all of the discussions and all of the issues before we make this ordinance a law.

A substitute motion made by Mr. Baddourah and seconded by Ms. Devine to send the ordinance to the committee to make the changes made tonight and to discuss any other issues that came up in order to make this a better ordinance failed by a vote of two (2) to three (3). Voting aye were Mr. Baddourah and Ms. Devine. Voting nay were Mr. Runyan, Mr. Davis and Mayor Benjamin.

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted three (3) to two (2) to give second reading approval to Ordinance No.: 2014-038 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 15, Parks and Recreation, Sec. 15-1 Prohibited acts in parks to add (14) Exclusive minor child play zones, subject to the following amendments. Voting aye were Mr. Runyan, Mr. Davis and Mayor Benjamin. Voting nay were Mr. Baddourah and Ms. Devine.

- Add to (14) (a) *“or family members of the minor child or minor children playing within the area.”*
- Adding section (e) that says *“This section does not apply to special authorized events held within the City parks.”*

Councilor Devine suggested that public hearing notices are posted in the parks as we would for a zoning public hearing so that people will be aware that this is being considered for the designation by City Council.

Mayor Benjamin agreed that this should be handled as Ms. Devine suggested. He stated that he expects the law enforcers to ensure that this ordinance is applied appropriately.

Ms. Teresa Wilson, City Manager concurred.

35. [Ordinance No.: 2014-052](#) – Providing for the Issuance and Sale of the City of Columbia, South Carolina, Special Obligation Bonds (Hospitality Fee Pledge), in one or more series, in the Principal Amount of not exceeding \$35,000,000, in order to Finance the Acquisition, by Construction or Purchase, of a Multi-use Entertainment Venue and Facilities, Equipment, Appurtenances and Improvements Related thereto; authorizing the Mayor, the City Manager, the Chief Financial Officer and the Finance Director, or any two of them acting together to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto – *First reading approval was given on June 24, 2014 by a vote of five (5) to one (1). – Approved on second reading by a vote of four (4) to one (1).*

Mayor Benjamin made a motion to approve Resolution subject to adopting the proposed amendment to clear up inconsistencies in the Venue Development Agreement and the Venue License Agreement: *III (A) (1) Approval of City Council. Approval of this Agreement by the City Council of the City.* The Club's contribution to the Venue shall not exceed \$6,000,000 and the City's contribution for the Venue shall not exceed \$29,000,000, provided that City may fund Air Rights Infrastructure Costs (as defined in the Venue Development Agreement) and other Infrastructure Costs, if deemed applicable, pursuant to the Bull Street Agreement and any such funds available under the Bull Street Agreement shall not be considered a part of the \$29,000,000 City Contribution.

Councilor Devine asked who is responsible if the costs go over \$35 million.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations and Development Services said we are committed to working with the architect and the construction manager at risk to cost the project as it is being designed to make sure it doesn't go over; we are very conscious that \$35 million is the limit. She said we've talked a lot about value engineering if we need to, while that is not ideal; we will certainly design so that there may be components that are wanted, but may not be added immediately. She noted that that has happened in Fort Wayne; Hardball added a few items and paid for them, but they designed it in such a way that those items could be added. She also noted that these conversations have taken place with the architect and \$35 million is the limit.

Councilor Davis asked to see something in writing to that effect.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted four (4) to one (1) to give second reading approval to Ordinance No.: 2014-052 – Providing for the Issuance and Sale of the City of Columbia, South Carolina, Special Obligation Bonds (Hospitality Fee Pledge), in one or more series, in the Principal Amount of not exceeding \$35,000,000, in order to Finance the Acquisition, by Construction or Purchase, of a Multi-use Entertainment Venue and Facilities, Equipment, Appurtenances and Improvements Related thereto; authorizing the Mayor, the City Manager, the Chief Financial Officer and the Finance Director, or any two of them acting together to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto, subject to the following amendment to the Venue License Agreement section III(A)(1) to read: Approval of this Agreement by the City Council of the City. The Club's contribution to the Venue shall not exceed \$6,000,000 and the City's contribution for the Venue shall not exceed \$29,000,000, provided that the City may fund Air Rights Infrastructure Costs (as defined in the Venue Development Agreement) and other Infrastructure Costs, if deemed applicable, pursuant to the Bull Street Agreement and any such funds available under the Bull Street Agreement shall not be considered a part of the \$29,000,000 City Contribution. Voting aye were Mr. Runyan, Ms. Devine, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay.

36. [Ordinance No.: 2014-077](#) – (*Amended*) Authorizing the City Manager to execute an Agreement between the City of Columbia and Multicon Development Company for the Devine Street Parking Garage and Easements for Public Pedestrian, Bicycle and Emergency Vehicle Access – *First reading approval was given on June 24, 2014 by a vote of three (3) to one (1). - Approved on second reading by a vote of three (3) to one (1).*

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted three (3) to one (1) to give second reading approval to Ordinance No.: 2014-077 – Authorizing the City Manager to execute an Agreement between the City of Columbia and Multicon Development Company for the Devine Street Parking Garage and Easements for Public Pedestrian, Bicycle and Emergency Vehicle Access. Voting aye were Mr. Runyan, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay. Ms. Devine was not present for the vote.

ORDINANCE – FIRST READING

37. [Ordinance No.: 2014-079](#) – Granting an encroachment to Kenzil F. Summey and Alison Renee Lee for placement and maintenance of a steel Palmetto Tree with concrete foundation within the sidewalk right of way area of the northern side of the 500 block of Lady Street adjacent to 1313 Pulaski Street, Richland County TMS #08912-04-01 – *Approved on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2014-079 – Granting an

encroachment to Kenzil F. Summey and Alison Renee Lee for placement and maintenance of a steel Palmetto Tree with concrete foundation within the sidewalk right of way area of the northern side of the 500 block of Lady Street adjacent to 1313 Pulaski Street, Richland County TMS #08912-04-01.

RESOLUTIONS

38. [Resolution No.: R-2014-062](#) – Authorizing tastings only of locally produced wine and beer only provided by market vendors and operation of the North Columbia Business Association Farmers Market, an open-air market featuring farmers and food on Thursdays from May 1, 2014 to November 27, 2014 in the vacant parcel located at the 2800 block of North Main Street and Newman Street excluding the sidewalk areas, without closing North Main Street, Newman Street, Drayton Street or Anthony Avenue, and authorizing City staff to require vendors to remove items City staff deems not to be in compliance - *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2014-062 – Authorizing tastings only of locally produced wine and beer only provided by market vendors and operation of the North Columbia Business Association Farmers Market, an open-air market featuring farmers and food on Thursdays from May 1, 2014 to November 27, 2014 in the vacant parcel located at the 2800 block of North Main Street and Newman Street excluding the sidewalk areas, without closing North Main Street, Newman Street, Drayton Street or Anthony Avenue, and authorizing City staff to require vendors to remove items City staff deems not to be in compliance.

39. [Resolution No.: R-2014-064](#) – Designation of the National Incident Management System (NIMS) as the Basis for all Incident Management in the City of Columbia, South Carolina – **Note:** *This system provides a consistent nationwide approach for Federal, State, Local, and Tribal Governments to work together more effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incidents.* - *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2014-064 – Designation of the National Incident Management System (NIMS) as the Basis for all Incident Management in the City of Columbia, South Carolina.

40. [Resolution No.: R-2014-065](#) – Authorizing the City Manager to execute a Notice to Proceed Letter between the City of Columbia and Populous, Inc. for Preliminary Architectural Services for the development of a Multi-Use Entertainment Venue Stadium to Include Minor League Baseball - *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted four (4) to one (1) to approve Resolution No.: R-2014-065 – Authorizing the City Manager to execute a Notice to Proceed Letter between the City of Columbia and

Populous, Inc. for Preliminary Architectural Services for the development of a Multi-Use Entertainment Venue Stadium to Include Minor League Baseball. Voting aye were Mr. Runyan, Ms. Devine, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay.

APPOINTMENTS

41. [Midlands Authority for Conventions, Sports and Tourism](#)

Councilor Davis asked if anyone is on the board from the Harbison area; he asked that this be considered.

Upon a motion made by Mayor Benjamin and seconded by Mr. Baddourah, Council voted unanimously to approve the appointment of Mr. Joel Darr, General Manager of the Columbia Marriott to the Midlands Authority for Conventions, Sports and Tourism to complete Mr. Bill Ellen's unexpired term ending June 30, 2015.

CITY COUNCIL COMMITTEE REPORTS/REFERRALS

**There was a consensus of Council to meet at noon on August 5, 2014.

APPEARANCE OF THE PUBLIC

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to adjourn the meeting at 8:56 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk

Meeting Dates	Type of Meeting	Meeting Times
August 5, 2014	Work Session	12:00 p.m.
	City Hall – 1737 Main Street – Second Floor Conference Room	
August 19, 2014	Work Session	2:00 p.m.
	<i>City Hall – 1737 Main Street – Second Floor Conference Room</i>	
	Council Meeting	6:00 p.m.
	<i>City Hall – 1737 Main Street – Council Chambers</i>	